

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL TERPIN,

Plaintiff,

-against-

ELLIS PINSKY, as an individual; and DOES 1-20,  
Inclusive,

Defendants.

No. 20 CV 3557 (CS)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, and the Declaration of Noam Biale dated October 1, 2020 and the exhibit attached thereto, Defendant Ellis Pinsky will move this Court, at a time and date to be set by the Court, at 300 Quarropas St., White Plains, NY 10601, for an order granting his motion, pursuant to Fed. R. Civ. P. 12(b)(6), to dismiss the First Amended Complaint filed by Plaintiff Michael Terpin insofar as against Defendant Ellis Pinsky.

Dated: October 1, 2020  
New York, New York

SHER TREMONTE LLP

By: /s/ Noam Biale  
Noam Biale  
Michael Tremonte  
Mark Cuccaro  
90 Broad Street, 23<sup>rd</sup> Floor  
New York, New York 10004  
(212) 202-2600  
nbiale@shertremonte.com

*Attorneys for Defendant Ellis Pinsky*